

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

GOVERNMENT DEVELOPMENT BANK
FOR PUERTO RICO,

Plaintiff,

v.

CARIB INN OF SAN JUAN CORP.,
HORIZONS HOTELS CORP.,
PUERTO RICO TOURISM CO.,
PUERTO RICO DEVELOPMENT CO.

Defendants.

CIVIL NO. 99-1508 (DRD)

COLLECTION OF MONEY &
FORECLOSURE OF MORTGAGE

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U.S. DISTRICT COURT
SAN JUAN, P.R.

WARMINSTER INVESTMENT CORP.,

Plaintiff

v.

HORIZONS HOTELS CORP.;
HOTEL ASSOCIATES, INC.; and
UNITED STATES OF AMERICA,

Defendants.

CIVIL NO. 98-1481 (DRD)

COLLECTION OF MONEY &
FORECLOSURE OF MORTGAGE

**ORDER APPROVING WITHDRAWAL OF CASE NO. 98-1481, DISMISSING WITH
PREJUDICE COUNTERCLAIM OF WARMINSTER INVESTMENT CORP. IN CASE
NO. 99-1508, AND REMANDING CASE TO THE COMMONWEALTH OF PUERTO
RICO, COURT OF FIRST INSTANCE, SUPERIOR COURT OF CAROLINA**

Plaintiff Warminster Investment Corp. ("WIC") having filed a motion seeking
dismissal of its mortgage foreclosure action in Case No. 98-1481;

The Board in Case No. 99-1508 having, pursuant to 28 U.S.C. §1442(a)(1),
removed to this Court Civil Case No. FCD-86-3106 ("the removed proceeding") from the
Commonwealth of Puerto Rico, Court of First Instance, Superior Court of Carolina
("Carolina Superior Court");

per: Shaffer.

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WIC and the Government Development Bank of Puerto Rico ("GDB") having filed motions in Case No. 99-1508, seeking remand of the removed proceeding to the Carolina Superior Court;

The Board having filed oppositions to the motions for remand filed by WIC and GDB;

The Board, subsequently, having sought withdrawal of its opposition to the motions for remand, in connection with the settlement of certain other matters involving WIC and certain other parties;

WIC having filed a motion seeking the dismissal with prejudice of its pending counterclaim against the National Labor Relations Board ("the Board") in Case No. 99-1508; and,

Good cause having been shown for granting the parties' above referenced motions and requests, IT IS HEREBY ORDERED as follows:

1. WIC's motion to withdraw its complaint in Case No. 98-1481 is GRANTED, and said case is hereby closed.

2. WIC's motion to dismiss with prejudice its counterclaim against the Board in Case No. 99-1508 is GRANTED, and said counterclaim is hereby dismissed with prejudice.


3. The Board's request to withdraw its opposition to the motions filed by WIC and GDB in Case No. 99-1508 seeking the remand to the Carolina Superior Court of the removed proceeding (Civil Case No. FCD-86-3106) is hereby GRANTED, and said opposition is hereby deemed withdrawn.

4. The motions filed by WIC and GDB in Case No. 99-1508 seeking the remand to the Carolina Superior Court of the removed proceeding (Civil Case No. FCD-86-3106) are hereby GRANTED; and,

5. Pursuant to 28 U.S.C. §1447, Civil Case No. FCD-86-3106 is hereby REMANDED to the Commonwealth of Puerto Rico, Court of First Instance, Superior Court of Carolina, and Case No. 99-1508 is hereby deemed closed.

6. The Clerk of the Court is hereby DIRECTED to immediately return to counsel for Warminster Investment Corporation all original copies of the mortgages and notes filed with the Court by WIC in support of WIC's mortgage foreclosure action in Case No. 98-1481.

7. It is further ORDERED that each party to these actions shall bear its own costs and attorneys' fees.



DANIEL R. DOMINGUEZ
United States District Judge

Dated and entered: *March 22, 2000*